

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	:	Chapter 11
	:	Case No. 01-1139 (JKF)
W.R. GRACE & CO., <i>et al</i>	:	(Jointly Administered)
	:	
Debtors.	:	
	:	
	:	Related Doc. No. 8394

**MARYLAND CASUALTY’S RESPONSE TO DEBTORS’  
MOTION TO APPROVE PI CMO AND QUESTIONNAIRE**

Maryland Casualty Company (“MCC”), by and through its undersigned counsel, files the following Response to *W.R. Grace & Co.’s Motion to Approve PI CMO and Questionnaire* [D.I. 8394].

MCC expressly reserves its right to participate in the claims estimation process to the extent necessary to protect its interests. MCC expressly denies that any rulings made during the claims estimation process will have any *res judicata* or collateral estoppel effect upon MCC or its interests, and MCC reserves the right to oppose the attempted application (by these same plaintiffs, Grace, or any other party) of any such rulings or estimations against MCC at a later date, including but not limited to rulings relating to the admissibility of evidence, and/or rulings relating to exposure and injuries of plaintiffs.

MCC also joins, to the extent applicable, in the Certain Insurers Response to Debtors’ Motion to Approve PI CMO and Questionnaire requesting either insurer neutrality language, which would protect the insurers from misuse of those proceedings in connection with potential insurance coverage disputes, or participation in the estimation proceedings. Specifically MCC joins in the requested language attached as Exhibit A to the Certain Insurers Objection which clarifies that any estimation of Asbestos PI Claims will have no effect on any of the rights and

obligations of any insurer or any Debtor under any policy of insurance or settlement agreement and/or upon the resolution of any coverage disputes between the Debtors and their insurers.

Respectfully submitted,

Dated: June 30, 2005

CONNOLLY BOVE LODGE & HUTZ LLP

**/s/ Jeffrey C. Wisler**

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